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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

Case No. 2:17-CR-00198-KJD-VCF

8 Plaintiff,

ORDER

9 v.

10 JASON MATTHEW SUAREZ,

11 Defendant.

12 Presently before the Court is Plaintiff's Motion to Continue Supervised Release
13 Revocation Hearing (#84). Defendant filed a response in opposition (#86). Also before the Court
14 is the Government's Motion for Psychiatric Evaluation and Competency Hearing (#89). The
15 Court considered the evidence adduced at the June 29, 2021 hearing on the motions.

16 **FINDINGS OF FACT**

17 Pursuant to 18 U.S.C. § 4241(a), the government may file a motion for a hearing to
18 determine the mental competency of the defendant. If there is a "reasonable cause to believe that
19 the defendant may presently be suffering from a mental disease or defect rendering him unable to
20 understand the nature and consequences of the proceedings against him or to properly assist in
21 his defense[,]" the Court is required to grant the motion. Id. The Court, considering the evidence
22 presented at the evidentiary hearing, its own observations of Defendant's demeanor –
23 particularly his agitated and frenetic actions – and Defendant's health history and behavior on
24 supervised release, finds by a preponderance of the evidence that reasonable cause exists to
25 believe that Defendant may be suffering from a mental disease or defect that renders him unable
26 to understand the nature and consequences of the proceedings against him.

27 **ORDER**

28 Accordingly, IT IS HEREBY ORDERED that the Government's Motion for Psychiatric

1 Evaluation and Competency Hearing (#89) is **GRANTED**;

2 IT IS FURTHER ORDERED in accordance with 18 U.S.C. § 4241 and 4247(b),(c), that
3 Defendant is committed for a period of thirty (30) days to the nearest Bureau of Prisons' facility
4 capable of conducting the psychiatric or psychological exam necessary to determine Defendant's
5 competence;

6 IT IS FURTHER ORDERED Plaintiff's Motion to Continue Supervised Release
7 Revocation Hearing (#84) is **GRANTED**;

8 IT IS FURTHER ORDERED that the supervised release revocation hearing in the above-
9 captioned matters, previously scheduled for June 22, 2021, be vacated and continued to a date
10 and time convenient to this Court, that is on August 10, 2021, at the hour of 11:00 a.m..

11 Dated this 28th day of June 2021.

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14 Kent J. Dawson
15 United States District Judge
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